

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

ERNEST MERRILL, LILA MERRILL) CV F 05-0195 AWI SMS
Plaintiffs,) ORDER VACATING JANUARY 16,
v.) 2007 HEARING DATE AND TAKING
COUNTY OF MADERA, et al.,) MOTION UNDER SUBMISSION
Defendants.)

Defendants' motion for summary judgment has been set for hearing on January 16, 2007.

The court has reviewed the moving papers, opposition, and reply and has determined that these motions are suitable for decision without oral argument. Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of January 16, 2007 is VACATED, and the parties shall not appear at that time. As of January 16, 2007, the court will take these motions under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: January 10, 2007
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE